

### **Remarks**

In response to the final Office Action mailed on November 8, 2006, the Applicant respectfully requests reconsideration in view of the following remarks. In the present application, independent claims 1, 3, 4, 11, 7, 11, 12, 13, 18, and 25 have been amended. Claims 1 and 11 have been amended to clarify that the “customer type” may include a network resource in a telecommunications network, that the customer information received in response to the submission of customer information may also include customer payment delinquency information, that the items selected corresponding to the received customer type may include residential product services and features and commercial services and features in a telecommunications network, and that the list of the one or more selected items is provided automatically. Support for these amendments may be found on page 4, lines 4-5, page 6, lines 5-9, page 9, lines 9-10, and on page 10, lines 10-21 in the Specification. No new matter has been added.

In the Office Action, claims 1-4, 7-13, 16-19, 22, and 25 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Rutkowski et al. (US 5,826,270, hereinafter “Rutkowski”) in view of Garber et al. (US 4,905,163, hereinafter “Garber”) and Hartman et al. (US 5,960,411, hereinafter “Hartman”). Claims 5-7 and 14-15 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Rutkowski in view of Garber, Peters et al. (US 5,696,906, hereinafter “Peters”) and FieldCentrix.

### **Claim Rejections - 35 U.S.C. §103**

#### **Claims 1-4, 7-13, 16-19, 22, and 25**

Claims 1-4, 7-13, 16-19, 22, and 25 are rejected as being unpatentable over Rutkowski in view of Garber and Hartman. The rejection of these claims is respectfully traversed.

Amended independent claim 1 specifies a system for transacting business. The system includes a dispatch division for receiving information related to a problem experienced by a customer and for deploying a technician to a location requested by the customer in response to the information, a computer accessible by the technician at the location requested by the customer that includes instructions that initiate a communication with the company via a telecommunications network when the technician receives a request from the customer for a transaction different from the problem and enters an identity of the customer in the computer, the computer further comprising: instructions that submit the identity of the customer in the initiated communication, instructions that receive customer information including customer payment delinquency information, and a customer type via the telecommunications network in response to the submission, the customer type comprising a network resource provided by the telecommunications network associated with a customer dwelling, instructions that select one or more items corresponding to the received customer type from a set of items, the set of items comprising residential product services, residential product features, commercial services, and commercial features in the telecommunications network, instructions that automatically provide a list of the one or more selected items, instructions that receive a selection corresponding to the received request from the customer from the one or more items, and instructions that communicate the received selection corresponding to the received request from the customer to the dispatch division over the telecommunications network.

It is respectfully submitted that the combination of Rutkowski, Garber, and Hartman fails to teach, disclose, or suggest each of the features specified in claim 1. For example, the aforementioned combination fails to disclose a customer type which comprises a telecommunications network resource associated with a customer dwelling, instructions that

receive customer payment delinquency information, instructions that select one or more items from a set of items including telecommunications network products, services, and features for both residential and commercial customers, or instructions that automatically provide a list of the one or more selected items.

Rutkowski discusses a system in which a cable technician/client may accomplish on-line order processing and transaction completion tasks while at a client location. The system may combine data supplied from the client or customer site with data drawn from distributed data bases to process orders or complete requests (Col. 5, lines 54-64). The data may include customer records which may include customer numbers, customer birth dates, customer telephone number, services subscribed to, recent pay-per-view activity, and a code for the location of the customer's cable operator (Col. 14, lines 25-43). Rutkowski further discusses cable television channels as "products" in a cable television network (Fig. 6). Rutkowski however, fails to disclose a customer type which comprises a telecommunications network resource associated with a customer dwelling, instructions that receive customer payment delinquency information, instructions that select one or more items from a set of items including telecommunications network products, services, and features for both residential and commercial customers, or instructions that automatically provide a list of the one or more selected items, as specified in amended claim 1. As noted above, Rutkowski discusses cable television channels as "products" in a cable television network but there is no discussion of residential and commercial features and services in a telecommunications network.

Garber, relied upon to cure the deficiencies of Rutkowski, discusses a computer call system which may be utilized to select similarity definitions for a patient records subject of interest for display. Thus a definition appropriate for a physician would be selected if the current

user of the system is a physician (Col. 33, lines 38-46). Garber however, also fails to disclose a customer type which comprises a telecommunications network resource associated with a customer dwelling, instructions that receive customer payment delinquency information, instructions that select one or more items from a set of items including telecommunications network products, services, and features for both residential and commercial customers, or instructions that automatically provide a list of the one or more selected items, as specified in amended claim 1. As noted above, Garber merely discusses a computer selecting a display based on a user type in a particular profession (i.e., medical personnel).

In the Office Action, Hartman is also relied upon for allegedly disclosing a customer type. As noted in the Office Action, Hartman discusses the placing of a purchase order over a communications network by customers (e.g., new and returning customers) via the selection of an order button (i.e., “one-click” purchasing - see Abstract). However, as specified in amended claim 1, a customer type comprises a telecommunications network resource associated with a customer dwelling. Thus, Hartman fails to teach, disclose, or suggest these features as well as at least the other features specified in amended claim 1, discussed above.

Based on the foregoing, amended claim 1 is allowable over Rutkowski, Garber, and Hartman and the rejection of this claim should be withdrawn. Claims 2-4 and 7-10 depend from amended claim 1, and are thus allowable for at least the same reasons. Therefore, the rejection of these claims should also be withdrawn. Amended claim 11 recites similar features as amended claim 1 and is thus also allowable for at least the same reasons. Therefore, the rejection of this claim should also be withdrawn. Claims 12-13, 16-19, 22, and 25 depend from amended claim 11, and are thus allowable for at least the same reasons. Therefore, the rejection of these claims should also be withdrawn.

#### Claims 5-7 and 14-15

Claims 5-7 and 14-15 are rejected as being unpatentable over Rutkowski in view of Garber, Hartman, Peters, and FieldCentrix. The rejection of these claims is respectfully traversed. Claims 5-7 depend from amended claim 1 and claims 14-15 depend from amended claim 11. Therefore, claims 5-7 and 14-15 recited at least the same features as amended claims 1 and 11. As discussed above, the combination of Rutkowski, Garber, and Hartman fails to teach, disclose, or suggest each of features specified in amended claims 1 and 11.

Peters and FieldCentrix, relied upon to cure the deficiencies of Rutkowski, Garber, and Hartman, merely discuss subscriber account management for cable television services and the communication of data to assist field service technicians over a wireless network. Thus the combination of Peters and FieldCentrix also fails to disclose at least a customer type which is a telecommunications network resource associated with a customer dwelling, providing customer payment delinquency information, that the selected items include telecommunications network products, services, and features for both residential and commercial customers, or that the list of the one or more selected items is provided automatically. Therefore, based on the forgoing, the combination of Rutkowski, Garber, Hartman, Peters, and FieldCentrix fails to teach, disclose, or suggest the features specified in claims 5-7 and 14-15. Accordingly, these claims are allowable and the rejection of these claims should be withdrawn.

#### **Conclusion**

In view of the foregoing amendments and remarks, this application is now in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is invited to call the Applicant's attorney at the number listed below.

No fees are believed due. However, please charge any additional fees or credit any overpayment to Deposit Account No. 50-3025.

Date: February 7, 2007

Respectfully submitted,

/Alton Hornsby III/  
Alton Hornsby III, Reg. #47299

Withers & Keys, LLC  
P.O. Box 71355  
Marietta, GA 30007-1355  
(678) 565-4748